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From: Nassif, Julianne (DPH)
Sent: Monday, November 02, 2009 10:05 AM
To: Han, Linda (DPH); Connolly, Grace (DPH); ValdesLupi, Monica (DPH)
Subject: FW: bill for changes in the drug laws

Monica, Linda & Grace,
See below for a history of Mike Lawler's activities related to changing the existing drug laws. Thought you should have the background in case anyone asks.
Thanks, Julie

From: Lawler, Michael (DPH)
Sent: Friday, October 30, 2009 4:30 PM
To: Nassif, Julianne (DPH)
Subject: RE: bill for changes in the drug laws

Julie,
A quick review of the history of this activity. The first draft was prepared for the Governor's Committee for Criminal Justice Initiatives about five years ago. I wrote the draft as a member of the Forensic Needs Committee (which at the time included Middlesex DA Martha Coakley and Plymouth DA Tim Cruz). The draft may be in some other iteration over in Dept. of Public Safety. About a year after that, I presented it at a public hearing for the Joint Senate-House Committee for Criminal Justice. It was supposed to move to be an "outside section", non-monetary portion of the year's budget bill. It didn't get out for consideration that year. To keep it in some degree of motion and hoping to find an advocate, I presented it to my Senator, Brian Joyce and his aides have been reviewing it. Tuesday, I will be visiting Senator Joyce and inquiring of the proposal.
Mike

From: Nassif, Julianne (DPH)
Sent: Friday, October 30, 2009 3:08 PM
To: Lawler, Michael (DPH)
Cc: Salemi, Charles (DPH); O'Brien, Elisabeth (DPH)
Subject: RE: bill for changes in the drug laws

Michael,
Thank you for keeping me apprised of this activity. I would like to discuss with Linda Han and possibly the Commissioner's office as this could have some implications for you as a public employee. Linda is unavailable today but I will speak to her on Monday.
Julie

From: Lawler, Michael (DPH)
Sent: Thursday, October 29, 2009 7:31 PM
To: Nassif, Julianne (DPH)
Cc: Salemi, Charles (DPH); O'Brien, Elisabeth (DPH)
Subject: bill for changes in the drug laws

Julie,

At the recent ADA conference, you alluded to "a bill for changes in the drug laws." Were you alluding to my efforts or another source?

I have taken November 3 off to do some advocacy work for my proposal. If bills aren't out of committees by December, they sit in review committee or calendar committee for another cycle; that is, a year.

I'm going downtown to try to move my proposals further along. Are there other proposals out there?

The three sections of the proposal I've got floating around consider:

- 1) adoption of the Federal statute for cocaine, which reduces the vague issues of isomers to the point where we will not have to do the microcrystal tests. A microcrystal test *used to be fairly simple and took about a minute per sample*. We are seeing a doubling or tripling of that time now with a new generation of diluents or "cutting" agents. A rather rare event in the past, samples more frequently require acidifying and cooking to get crystals to form. The Federal statute eliminates the need to test out pseudococaine, allococaine and pseudoallococaine by the gold chloride test. We would no longer have to distinguish l-cocaine from d-cocaine, so the TLTA test is eliminated as well.
- 2) Amendment to the line for Ketamine chloride. This sexual assault drug can occur as several different salts with the same metabolic consequences. The statute literally classifies only ketamine hydrochloride as a Class A drug. The law cannot be applied to ketamine phosphate or ketamine sulfate, etc. This is not a "recreational drug." It is used primarily as a knockout agent. All forms can facilitate assault and the statute should be corrected.
- 3) Amendment to the line for MDMA is somewhat like the ketamine proposal. MDMA is a base unit and the statute doesn't note the potential salt forms and classify them. This is an important club/rave drug responsible for death by fever. The statute should be repaired to address the range of salt forms we are likely to see.

I've attached my proposal. Anyone care to share their thoughts before I go Tuesday?